

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$48,100.00 IN UNITED STATES
CURRENCY,

Defendant.

8:10CV110

MEMORANDUM AND ORDER

The claimant has moved to continue the trial of this case, stating a material witness from Milwaukee, the claimant's father, is unable to attend the trial set for August 20, 2012. (Filing No. 47). The trial was set by order dated July 21, 2012, and in that order, the undersigned judge stated:

The one-day trial of this case, originally set to commence on April 19, 2011, has been continued eight times. The trial will not be continued again, and if a different date is needed to accommodate the parties' calendars, only an earlier trial setting will be considered

Filing No. 47. The claimant is not proposing an earlier trial setting. The claimant has not adequately explained why the testimony of his father cannot be offered by deposition. Although the claimant, his father, and the claimant's counsel want the father to be physically present at the trial, the court is not convinced the father's presence is necessary for a just resolution of this case.

Accordingly,

IT IS ORDERED that the claimant's motion to continue, (filing no. 47), is denied.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge